

Chapter 5.22

ALARM SYSTEMS—INTRUSION AND PHYSICAL DURESS

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5.22.010 Purpose and scope.

A. The purpose of this section is to protect the emergency services of the city from misuse.

B. This section governs intrusion and physical duress alarm systems, requires permits and registration, establishes fees, provides for the allocation of revenues and deficits, provides for revocation of the permit, provides for punishment of violations and establishes a system of administration.

5.22.020 Definitions.

A. "Alarm business" means the business by any individual, partnership, corporation or other entity of selling, leasing, maintaining, servicing, repairing, altering, replacing, removing, moving, installing, planning the installation or assisting in the installation of any alarm service.

B. "Alarm system" means any assembly of equipment, mechanical or electrical, arranged to signal the occurrence of an illegal entry or other activity requiring urgent attention and to which peace officers are expected to respond.

C. "Alarm user" means the person, firm, partnership, association, corporation, company, or organization thereof of any kind in control of any building, structure or facility wherein an alarm system is maintained.

D. "Automatic dialing device" means a device which is interconnected to a telephone line and is programmed to select a predetermined telephone number and transmit by voice message or code signal any emergency message indicating a need for emergency response.

E. "Valley 911" and "sheriff dispatch" are the governmental facilities used to receive emergency and general information from the public to be dispatched to the police department.

F. "Intrusion alarm system" means an alarm system signaling an entry or attempted entry into the area protected by the system.

G. "Coordinator" means the individual designated by the police department to issue permits and enforce the provisions of this section.

H. "False alarm" means an alarm signal eliciting a response by peace officers when a situation requiring a response by them or other emergency response unit in fact does not exist. It includes an alarm signal caused by conditions of nature which are normal for that area and subject to control by the alarm business operator or alarm user. "False alarm" does not include an alarm signal caused by extraordinarily violent conditions of nature not reasonably subject to control.

I. "Interconnect" means to connect an alarm system, including an automatic dialing device, to a telephone line, either directly or through a mechanical device that utilizes a telephone, for the purpose of using the tele-

phone line to transmit a message upon the activation of the alarm system.

J. "Primary trunk line" means a telephone line serving the Valley 911 system or sheriff dispatch that is designated to receive emergency calls.

K. "Physical duress system" means an alarm system signaling a robbery or other physical endangerment.

L. "Local alarm" means any noise-making alarm device.

5.22.030 Registration required to operate intrusion and physical duress alarm system business and automatic dialing devices.

A. It shall be unlawful for any person, partnership, corporation or association to own, manage, conduct or carry on the business of selling, leasing, installing, servicing, maintaining, repairing, replacing, moving or removing, or causing to be sold, leased, installed, serviced, maintained, repaired, replaced, moved or removed in or on any building, residence or other property within the city any device known as an intrusion, or physical duress alarm system, or automatic dialing device connected to an answering service, unless such person is licensed therefore in accordance with *Utah Code Ann.* §§ 58-55-101, *et seq.* and any other applicable laws or ordinances, and the name, address and certificate number or I.D. card number of such person is registered with the police department as provided herein.

B. The fee for an intrusion or physical duress alarm system business license shall be as specified on the fee schedule adopted pursuant to section 5.06.050.

C. It shall be unlawful for any person to maintain, operate, connect, or allow to be maintained, operated or connected, any automatic dialing device which automatically dials the police department and then relays any pre-recorded message to report any robbery, burglary, or other emergency.

5.22.040 Individual employee's registration.

It shall be unlawful for any person employed by a person having a valid license as an alarm business or company under *Utah Code Ann.* § 58-55-101, *et seq.* to engage directly in the selling, leasing, installing, servicing, maintaining, repairing, moving or removing in or on any building or other property within the city any intrusion or physical duress alarm system unless such person shall first be licensed therefore in accordance with all applicable laws and shall register his name, address and I.D. card number with the police department. There shall be no fee for registration under this section.

5.22.050 Registration procedure.

A. Every alarm business and its employees shall register their name, address and license number of I.D. card number with the police department.

B. Along with the registration information, the registrant shall be fingerprinted and photographed by the police department.

5.22.060 Alarm user permits required.

A. Every alarm user shall have on his premises or in his possession an alarm user permit issued by the police department at no charge.

B. It shall be unlawful for any alarm business to report to the police department or other emergency service agency, any alarm system on any premises for which the alarm user has not obtained an alarm user permit.

5.22.070 Alarm information.

A. An alarm information card will be completed and submitted to the police department's alarm coordinator by the user of any alarm system prior to the operation of the system.

B. This card shall set forth the full name, address and telephone number of both the

owner or lessee on whose premises the system will be installed, operated, connected or maintained, and the name of the person or licensed alarm system business installing, maintaining, or servicing the system, as well as the type of system to be installed, operated or maintained. The card shall further contain the names, addresses and telephone numbers of three individuals who may be contacted by peace officers responding to an alarm. The persons listed shall have authority to act for the alarm user in granting peace officers access to any portion of the premises concerned and be knowledgeable in the basic operation of the alarm system. The alarm input card shall contain such additional information as the police department shall reasonably deem necessary to properly identify and locate the user, the alarm business installing, servicing or maintaining the alarm system, and the persons to be contacted in the event of the filing of an alarm report.

C. In addition to submitting the alarm information card, users of audible outside local alarm systems shall post near the alarm and at a position readable from ground level, a code number furnished by the alarm coordinator to allow reference to the alarm information card required by this section.

5.22.080 User instructions.

Every alarm business selling, leasing or furnishing to any user an alarm system which is installed on premises located in the city shall furnish the user with written instructions that provide information to enable the user to operate the alarm system properly.

5.22.090 False alarms.

Except for alarms at a wholesale or retail firearms business, intrusion alarm response shall be dispatched by the police department only after a private guard responder has confirmed that an attempted or actual crime has occurred at the alarm site.

5.22.100 Inter-agency communications.

A central station or other alarm dispatch center must provide to police department dispatch a toll-free telephone number for the conducting of business and contacting the central station dispatchers at the time of filing the alarm report.

5.22.110 Deliberate false alarms.

No person shall cause to be transmitted any intrusion or physical duress alarm knowing the same to be false or without basis in fact. Central stations shall not request law enforcement officers to respond to alarm scenes when monitoring equipment indicates an alarm system malfunction signal.

5.22.120 Penalties.

A. Any person who violates any provision of these provisions shall be guilty of a misdemeanor and, upon conviction, be subject to a fine in an amount not to exceed \$1,000 or imprisonment in the county jail for a period not to exceed six months, or both such fine and imprisonment.

B. All service fees assessed under this section are due and payable within 30 days after written notice of any fee due is issued by the city. A penalty of ten percent of the fee due shall be assessed upon any person who fails to pay the fee within thirty days. The penalty shall be assessed for each thirty-day period, or fraction thereof, that the fee remains unpaid beyond the original payment period.

C. Failure to timely pay any service fees imposed in this section may result in an action to revoke the business license of the alarm business.

5.22.130 Policies.

The city council may from time to time adopt or modify by ordinance written policies governing the allocation of the city's law enforcement resources and other emergency services to alarm systems. Such policies may,

without limitation, prohibit response by the city's law enforcement personnel to alarms of specific types, specify the conditions under which the city's law enforcement personnel will respond to alarms of specific types, or in any other manner control and protect from misuse the city's emergency services.

5.22.140 City liability limitation.

Notwithstanding anything to the contrary, the timing of any response by the police department to an alarm in any particular situation is dependent on a number of factors over which the city has little or no control including, without limitation, peace officer staffing constraints and the existence of other emergency situations then prevailing. Therefore, the city will have absolutely no liability, contractual or otherwise, to any provider or to any alarm user if the police department fails to respond to any alarm or if the police department's response to an alarm is not timely. Further, the city will not be liable for any defect in the operation of intrusion or duress alarm systems.